

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

ANTHONY WILLIAM MILLER, #56421	§	PETITIONER
	§	
VERSUS	§	CIVIL ACTION NO. 2:02cv61-DMR-RHW
	§	
DOLAN WALLER and	§	
MIKE MOORE	§	RESPONDENTS

ORDER ADOPTING REPORT AND RECOMMENDATION

BEFORE THE COURT is the Report and Recommendation of the U. S. Magistrate Judge entered on January 31, 2006 [Doc. No. 50], recommending that the Petition of Anthony William Miller filed pursuant to 28 U.S.C. §2254 be denied and said Petition be dismissed. After careful consideration of the extensive record, the applicable case law, and the time for the filing of objections having run, this Court is of the opinion that said Report and Recommendation will be adopted as it is neither clearly erroneous nor contrary to law as set forth in Rule 72 of the Federal Rules of Civil Procedure.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Report and Recommendation of the U. S. Magistrate Judge entered in this cause on January 31, 2006 [Doc. No. 50], recommending that the Petition of Anthony William Miller filed pursuant to 28 U.S.C. §2254 be denied and said Petition be dismissed, be and is hereby **ADOPTED** as the finding of this Court and this cause is hereby **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED AND ADJUDGED that a Final Judgment shall be entered in this cause.

SO ORDERED AND ADJUDGED this the 27th day of March, 2006.

/S/ DAN M. RUSSELL, JR.
UNITED STATES DISTRICT JUDGE